Group V: Claim 6, drawn to a method of detecting in vitro the presence or activity of IL-2R using an antibody which binds to a peptide of amino acid sequence of SEQ ID NO:2;

Group VI: Claim 6, drawn to a method of detecting in vitro the presence or activity of IL-2R using an antibody which binds to a peptide of amino acid sequence SEQ ID NO:4;

Group VII: Claim 7, drawn to a method of inhibiting the activity of IL-2R using a peptide of amino acid sequence of SEQ ID NO:2;

Group VIII: Claim 7, drawn to a method of inhibiting the activity of IL-2R using a peptide of amino acid sequence of SEQ ID NO:4;

Group IX: Claim 8, drawn to a method of inhibiting the activity of IL-2R using an antibody to a peptide of amino acid sequence of SEQ ID NO:2;

Group X: Claim 8, drawn to a method of inhibiting the activity of IL-2R using an antibody to a peptide of amino acid sequence of SEQ ID NO:4;

Group XI: Claims 9 and 12-15, drawn to a method of using a peptide of amino acid sequence of SEQ ID NO:2, by administering the peptide to a patient to induce the activities of IL-2;

Group XII: Claims 9 and 12-15, drawn to a method of using a peptide of amino acid sequence of SEQ ID NO:4, by administering the peptide to a patient to induce the activities of IL-2;

Group XIII: Claim 11, drawn to a method of treating a patient by using a vector comprising the DNA encoding a peptide of amino acid sequence of SEQ ID NO:2;

Group XIV: Claim 11, drawn to a method of treating a patient by using a vector comprising the DNA encoding a peptide of amino acid sequence of SEQ ID NO:4;

Group XV: Claims 16-25, drawn to a peptide of amino acid sequence of SEQ ID NO:2; and

Group XVI: Claims 16-25, drawn to a peptide of amino acid sequence of SEQ ID NO:[4.]

Applicants elect, with traverse, Group XVI relating to SEQ ID NO:4 (improperly listed as SEQ ID NO:2).

The Examiner, citing PCT Rule 13.1 and 13.2, contends that Groups I-XVI do not relate to a single general inventive concept because they lack the same or corresponding special technical features, which defines an advance over the prior art. However, the Examiner has provided no basis for this conclusion. In fact, Applicants note that the Examiner has not provided any references and/or explanation to support the position that the special technical feature does not establish an advance over the prior art. Accordingly, the Examiner's assertion is without merit and must be withdrawn.

Applicants wish to point out that MPEP 1893.03 (d) states that:

> A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature.

Groups I, III, V, VII, IX, XI, XIII, & XV are drawn to SEQ ID NO:2, and as such these Groups clearly share a common special technical feature. Similarly, Groups II, IV, VI, VIII, X, XII, XIV & XVI are drawn to SEQ ID NO:4, therefore a common technical feature is clearly present in these groups. Moreover, SEQ ID NO:2 and SEQ ID NO:4 are isotypes of the same purified peptide (IP 130), which differ only in the presence of N-terminal methionine, and do share a common technical feature. Accordingly, the criteria for unity of invention are satisfied.

Further, MPEP 1893.03 (d) states:

> When making a lack of unity of invention requirement, the Examiner **must**... (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) *specifically describing the unique special technical feature in each group.*

Applicants submit that the Examiner has not met this requirement. In particular, the Examiner has not specifically described the unique special technical

feature in each group. As a result, the restriction is not sustainable and should be withdrawn.

Applicants traverse that Restriction Requirement on the additional grounds that the Office has not applied the same standard of unity of invention as the International Preliminary Examination Authority (see English translation submitted herewith). The Authority did not take the position that unity of invention was lacking in the International application and examined all claims together. Applicants note that PCT Article 27(l) states:

> No national law shall require compliance with requirements relating to the form or contents of the international application different from or additional to those which are provided for in this Treaty and the Regulations.

Moreover, Applicants respectfully traverse on the grounds that the Office has not shown that a burden exists in searching the entire application. MPEP in §803 states as follows:

> If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office. In fact, the International Searching Authority has searched all of the claims together.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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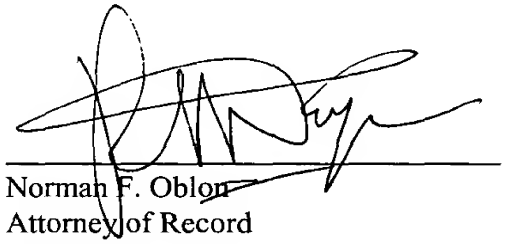

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